



General Assembly

**Substitute Bill No. 6560**

January Session, 2009

\* HB06560FIN\_\_040209\_\_ \*

**AN ACT CONCERNING MUNICIPAL AUTHORITY TO SET FEES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (2) of subsection (c) of section 7-148 of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2009*):

4 (2) (A) Establish and maintain a budget system;

5 (B) Assess, levy and collect taxes for general or special purposes on  
6 all property, subjects or objects which may be lawfully taxed, and  
7 regulate the mode of assessment and collection of taxes and  
8 assessments not otherwise provided for, including establishment of a  
9 procedure for the withholding of approval of building application  
10 when taxes or water or sewer rates, charges or assessments imposed  
11 by the municipality are delinquent for the property for which an  
12 application was made;

13 (C) Make appropriations for the support of the municipality and  
14 pay its debts;

15 (D) Make appropriations for the purpose of meeting a public  
16 emergency threatening the lives, health or property of citizens,  
17 provided such appropriations shall require a favorable vote of at least  
18 two-thirds of the entire membership of the legislative body or, when

19 the legislative body is the town meeting, at least two-thirds of those  
20 present and voting;

21 (E) Make appropriations to military organizations, hospitals, health  
22 care facilities, public health nursing organizations, nonprofit museums  
23 and libraries, organizations providing drug abuse and dependency  
24 programs and any other private organization performing a public  
25 function;

26 (F) Provide for the manner in which contracts involving unusual  
27 expenditures shall be made;

28 (G) When not specifically prescribed by general statute or by  
29 charter, prescribe the form of proceedings and mode of assessing  
30 benefits and appraising damages in taking land for public use, or in  
31 making public improvements to be paid for, in whole or in part, by  
32 special assessments, and prescribe the manner in which all benefits  
33 assessed shall be collected;

34 (H) Provide for the bonding of municipal officials or employees by  
35 requiring the furnishing of such bond, conditioned upon honesty or  
36 faithful performance of duty and determine the amount, form, and  
37 sufficiency of the sureties thereof;

38 (I) Regulate the method of borrowing money for any purpose for  
39 which taxes may be levied and borrow on the faith and credit of the  
40 municipality for such general or special purposes and to such extent as  
41 is authorized by general statute;

42 (J) Provide for the temporary borrowing of money;

43 (K) Create a sinking fund or funds or a trust fund or funds or other  
44 special funds, including funds which do not lapse at the end of the  
45 municipal fiscal year;

46 (L) Provide for the assignment of municipal tax liens on real  
47 property to the extent authorized by general statute;

48        (M) Notwithstanding any provision of the general statutes, impose a  
 49        surcharge on any fee established pursuant to the general statutes for a  
 50        municipal service, which surcharge shall not exceed the costs to the  
 51        municipality to provide the service for which the fee is assessed,  
 52        including, but not limited to, the costs of (i) reviewing and acting on  
 53        applications and petitions, (ii) certified mailings, (iii) publications of  
 54        notices and decisions, (iv) monitoring compliance with permit  
 55        conditions, and (v) the salary attributable to employees engaged in  
 56        providing the service.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2009	7-148(c)(2)
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**Statement of Legislative Commissioners:**

The phrase "surcharge on any service for which a fee is provided in the general statutes" was changed to "surcharge on any fee established pursuant to the general statutes for a municipal service" for accuracy and clarity.

**FIN**            *Joint Favorable Subst.*